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NO. 4813 P. 2/11

NOV 16 2006

Practitioner's Docket No. NAI1P462/01.059.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Neil John Hursey et al.

Application No.: 09/912,391

Group No.: 2131

Filed: July 26, 2001

Examiner: Henning, Matthew T.

For: DETECTING E-MAIL PROPOGATED MALWARE

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed July 24, 2006, for a second time rejecting claims 1-4, 6-12, 14-20 and 22-28.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

11/17/2006 MWOLGE1 00000030 501351 09912391

01 FC:1401 500.00 DA

11/17/2006 MWOLGE1 00000030 09912391

02 FC:1251 120.00 DA

CERTIFICATION UNDER 37 C.F.R. ' 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

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37 C.F.R. § 1.8(a)

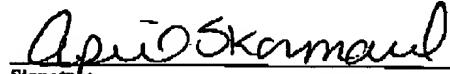
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37 C.F.R. § 1.10*

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Signature

April Skovmand

(type or print name of person certifying)

Date: 11-16-2006

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board--page 1 of 2

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2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Notice of Appeal is:

Other than a small entity	\$500.00
Notice of Appeal fee due	\$500.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee	\$120.00
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If an additional extension of time is required, please consider this a petition therefor.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$500.00
Extension fee	\$120.00
TOTAL FEE DUE	\$620.00

5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$620.00 to Deposit Account No. 50-1351(Order No.NAI1P462).

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351(Order No. NAI1P462).

Date: 11/16/06

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Signature of Practitioner
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